

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MAUI JIM, INC., an Illinois Corporation)	
)	Case No. 1:16-cv-09788
Plaintiff,)	
)	District Judge Marvin E. Aspen
v.)	Magistrate Judge Jeffrey T. Gilbert
)	
SMARTBUY GURU ENTERPRISES, a)	
Cayman Island Company, MOTION)	
GLOBAL LTD., a Hong Kong Company,)	
SMARTBUYGLASSES SOCIETÀ A)	
RESPONSABILITÀ LIMITATA, an)	
Italian Company, SMARTBUYGLASSES)	
OPTICAL LIMITED, a Hong Kong)	
company,)	
)	
Defendants.)	

**JOINT REPORT ON STATUS OF SETTLEMENT AND
FOURTH REQUEST FOR EXTENSION OF TIME REGARDING
INTERVENOR’S MOTIONS TO INTERVENE AND UNSEAL**

The Parties hereby submit this joint report on status of settlement and move pursuant to Fed. R. Civ. P. 6(b) for an extension of time to respond to Proposed Intervenor Professor Rebecca Tushnet’s (“Tushnet”) Motion to Intervene (ECF 524) and Motion to Unseal (ECF 525) (the “Motions”). In support, the Parties state as follows:

1. On March 8, 2021, Tushnet filed her Motion to Intervene (ECF 524) and Motion to Unseal (ECF 525).
2. On March 10, this Court set a briefing schedule on both motions. (ECF 528.)
3. On April 12, the Parties filed a joint motion requesting that this Court extend the deadlines on Tushnet’s Motions. (ECF 529.)
4. On April 13, this Court granted the Parties’ joint motion. (ECF 530.)

5. On May 13, the Parties filed their second joint motion requesting that this Court extend the deadlines on Tushnet's Motions. (ECF 531.)

6. On May 14, this Court granted the Parties' second joint motion. (ECF 532.)

7. On June 14, the Parties filed their third joint motion requesting that this Court extend the deadlines on Tushnet's Motions. (ECF 533.)

8. On June 15, this Court granted the Parties' third joint motion and set deadlines to file any oppositions to Tushnet's Motions by July 6, with any replies in support due by August 6. (ECF 534.)

9. The Parties are mindful of this Court's statement in its June 15 order that July 6 would be the final deadline to file responses to Tushnet's Motions. (*Id.*)

10. However, the Parties have reached a settlement in principle that fully resolves the Motions.

11. The Parties are finalizing the text of the agreement in principle and expect to enter into said agreement shortly. Once the agreement in principle is finalized, Plaintiff and Defendants intend to file a joint status report with this Court advising that they do not oppose Tushnet's motion to intervene (ECF 524).

12. The agreement in principle provides that Plaintiff and Defendants will revise certain previously sealed and redacted documents, after which Tushnet will review the documents for compliance with the Parties' agreement. The Parties will then seek approval from this Court to file those revised documents publicly.

13. Once the documents have been filed publicly as provided above, Tushnet's motion to unseal will become moot and hence will be withdrawn. The Parties therefore respectfully submit

that an additional, brief extension of 14 days will likely resolve Tushnet's Motions in their entirety without the need for this Court's intervention.

14. This is the Parties' fourth request for an extension regarding Tushnet's Motions. This extension is not sought for any improper purpose or delay, but rather to finalize a resolution of the issues raised in Tushnet's Motions. No party will be prejudiced by this extension.

WHEREFORE, the Parties respectfully request that this Court enter an order allowing the Parties to file a joint status report indicating that the Parties have finalized their agreement and resolved Tushnet's Motions by July 20, 2021, or, in the alternative, allowing Plaintiffs and Defendants to file any oppositions to Tushnet's Motions by July 20, 2021, with any replies in support of Tushnet's Motions by August 20, 2021.

Respectfully submitted,

/s/ Jacob D. Radecki

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CERTIFICATE OF SERVICE

This is to certify that on July 2, 2021, Jacob D. Radecki, an attorney, caused to be served a true and correct copy of the foregoing document via electronic mail on all counsel of record who have consented to electronic service.

/s/ Jacob D. Radecki